

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

Carl and Barbara D'Argenzio,
Individually & as H/W
105 Salem Avenue
Blackwood, NJ 08012

Plaintiffs,

v.

Bank of America Corporation
f/k/a Countrywide Bank, FSB
100 N Tryon St
Charlotte, NC 28255

And

John Does 1-10

Defendants.

CIVIL ACTION NO.: 09-5604

JURY OF TWELVE (12) JURORS DEMANDED

STIPULATION

AND NOW this 13th day of May, 2011, it is hereby

STIPULATED and AGREED, by and between all parties, by and through their undersigned counsel, that:

1. Plaintiffs shall file the proposed Amended Complaint (Docket No. 33, Exh. 1) within ten (10) days from the date of entry of the below Order;
2. Plaintiffs' Motion to Amend (Docket No. 33) is dismissed as moot;
3. Defendant's Motion for Summary Judgment (36) shall remain pending as it contemplates the Amended Complaint's filing; and
4. Plaintiffs shall respond to Defendant's Motion for Summary Judgment within twenty-one (21) days from the date of the Amended Complaint's filing.

5. The return date for Defendant's Motion for Summary Judgment is adjourned from June 6, 2011 to July 19, 2011, without oral argument unless otherwise ordered.

jsb
5/13/11

/s/ Matthew B. Weisberg
Matthew B. Weisberg, Esquire
Attorneys for Plaintiff

William T. Marshall, Jr.
William T. Marshall, Jr., Esquire
Attorney for Defendants

AND IT IS SO ORDERED.

Jerome B. Simandle
Jerome B. Simandle, J.